

James C. Carmody
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Attorneys for Petitioners

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ORGANIC ENERGY
CONVERSION COMPANY, LLC, a
Washington limited liability
company, and WILLIAM R. ROSE,

Petitioners,

DOUG FOOTH and QUALITY
STORAGE LIMITED
PARTNERSHIP, a Washington
limited partnership,

Property Owners,

vs.

CITY OF MOXEE, a political
subdivision of the State of
Washington,

Respondent

NO. CV-08-3021-LRS

PROPOSED

**ORDER GRANTING JOINT
MOTION TO REMAND**

THIS MATTER, having come before the Honorable Lonny R. Suko on the
parties' joint motion for remand and the Court having considered the motion, the
Declaration of James C. Carmody and the files and records herein and the Court being

ORDER GRANTING JOINT
MOTION TO REMAND- 1

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1 otherwise fully informed on the matter does hereby ORDER, ADJUDGE AND
2
3 DECREE that:

4 1. Notice Dismissing Petitioner's § 1983 Claim has been filed with the
5
6 court and such claim is dismissed; and
7

8 2. This case is remanded back to the Yakima County Superior Court
9
10 without the assessment of costs, including reasonable attorney fees, to any party.

11 SO ORDERED this 22nd day of ~~May, 2008~~, April, 2008.
12
13

14 s/Lonny R. Suko
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THE HONORABLE LONNY R. SUKO
17 UNITED STATES DISTRICT COURT JUDGE

18 Presented by:

19 s/ James C. Carmody, WSBA No. 5205
20 VELIKANJE HALVERSON P.C.

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28 s/ Michael B. Tierney, WSBA No. 13662
29 *Attorneys for Respondent*

30 *City of Moxee*
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ORDER GRANTING JOINT
MOTION TO REMAND- 2

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CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

Attorneys for Respondent **Michael B. Tierney**, tierney@tierneylaw.com

s/ James C. Carmody, WSBA No. 5205
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